



3736 RA

PATENT

Case Docket No. DEXCOM.008DV1

Date: February 9, 2004

Page 1

Applicant : Shults, et al.
App. No. : 09/447,227
Filed : November 22, 1999
For : DEVICE AND METHOD FOR
DETERMINING ANALYTE
LEVELS
Examiner : Nasser, R.
Art Unit : 3736

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

February 9, 2004

(Date)

Rose M. Thiessen, Reg. No. 40,202

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following:

- (X) Interview Summary (1 page)
- (X) Interview Summary (2 pages)
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

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Rose M. Thiessen
Registration No. 40,202
Attorney of Record
Customer No. 20,995
(619) 235-8550



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Rose M. Thiessen, Reg. No. 40,202

INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants appreciate the telephonic interview of January 29, 2004, between Examiner Nasser and Applicants' representative Rose Thiessen. During the interview, Applicants' pending claims 59-61 and 73-75 were discussed. Examiner Nasser requested that Applicants identify where in the specification support for the claimed subject matter could be found. Examiner Nasser also discussed correction of the dependencies of claims 60, 61, 74, and 75. Rose Thiessen agreed to discuss the issues raised by Examiner Nasser with Applicants, after which Applicants' representative would contact Examiner Nasser to discuss the claims further. No agreement was reached as to the allowability of pending claims 59-61 and 73-75.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Feb 9, 2004

By: Rose M. Thiessen

Rose M. Thiessen
Registration No. 40,202
Attorney of Record
Customer No. 20,995
(619) 235-8550

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DEXCOM.008DV1

PATENT

#28
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INTERVIEW SUMMARY

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

Applicants appreciate the telephonic interviews of February 3, 2004, between Examiner Nasser and Applicants' representative Laura Johnson.

During the interview, Applicants' pending claims 59-61 and 73-75 were discussed. Examiner Nasser had earlier requested that Applicants identify where in the specification support for the claimed subject matter could be found. Laura Johnson identified page 37, final paragraph and following paragraph, and page 5 of the application as filed as providing support for the claims.

Examiner Nasser considered the arguments and called Laura Johnson back the same day to agree that pending claims 59-61 and 73-75 are supported by the disclosure and are allowable. Examiner Nasser agreed to enter an examiner's amendment to claims 60, 61, 74, and 75 such that they depend from their respective independent claims.



Appl. No.
Filed

: 09/447,227

: November 22, 1999

Agreement was reached as to the allowability of pending claims 59 and 73, and pending claims 60, 61, 74, and 75 once amended by examiner's amendment as described above.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated:

Feb 9, 2004

By:

Rose M. Thiessen

Registration No. 40,202

Attorney of Record

Customer No. 20,995

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